

1 _____
Tenant's Name

2 _____
Address

3 _____
City and Zip Code

4 _____
Phone

5 _____
Email Address

6 *Tenant in Proper Person*

7 **IN THE JUSTICE COURT OF _____ TOWNSHIP**
8 **IN AND FOR THE COUNTY OF _____, STATE OF NEVADA**

9 _____,

10 Landlord,

11 v.

12 _____,

13 Tenant.

CASE NO.:

EX PARTE MOTION TO STAY
ORDER FOR SUMMARY EVICTION

14
15 COMES NOW Tenant _____ (hereinafter "Tenant") in
16 proper person and moves this Honorable Court to request that the Court stay a summary eviction
17 pursuant to NRS 70.010 and JCRCP 110. I have received a Lockout Order and will be evicted
18 from my home in less than 24 hours unless the Court enters and Order staying this eviction.
19 Therefore, I request the Court review this motion *ex-parte* on an expedited basis.

20 **A. DIRECTIVE 036**

21 On December 15, 2020, the Governor's Emergency Directive 036 went into effect staying
22 all evictions for non-payment of rent or no cause where a tenant is in default of rent related to
23 COVID-19 until March 31, 2021. *See* Directive 036 Section 3. In order to avail themselves of

1 the protection of the moratorium, a tenant must be a covered person and must deliver a signed
2 Declaration to the landlord. In order to be covered by the moratorium, tenants must declare that
3 he/she/they are:

- 4 • Unable to pay the full rent due because of extraordinary medical expenses or a loss
5 of income or work related to the COVID-19 pandemic;
- 6 • Likely to be homeless if evicted; and
- 7 • Low income – by earning less than \$99,000 a year (or \$198,000 if filing taxes
8 jointly), having received a stimulus check, or not required to file a tax return.

9 *See* Directive 036 Section 2.

10 As long as the tenant is a covered person under the Directive, a landlord cannot proceed
11 with an eviction – by either serving an eviction notice or filing a Complaint for Summary Eviction
12 – and a tenant cannot be locked out of their unit even if an Order has been issued but not yet
13 executed. *See* Directive 036 Section 4 (“upon receipt of a Covered Person Declaration, no
14 lockout, notice to vacate, notice to pay or quit, eviction or other proceeding related to a Covered
15 Eviction action may be initiated against the tenant.”).

16 I am a covered person under Directive 036. I am low income, likely to be homeless if
17 evicted, suffered hardship due to the COVID-19 pandemic, and am in default in my rent. I
18 delivered my Covered Person Declaration to my landlord on _____ (date).
19 Therefore, this Court must stay this eviction and stop any further eviction proceedings pursuant
20 to Directive 036.

21 WHEREFORE Tenant respectfully requests this Court enter an Order *ex-parte* staying all
22 further eviction proceedings against me until March 31, 2021.

23 ///

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